

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

PLANNED PARENTHOOD OF
WISCONSIN, INC., et al.,

Plaintiffs,

Case No. 19-cv-38

v.

JOSHUA KAUL, et al.,

Defendants.

**PARTIES' JOINT STIPULATION CONCERNING
EXHIBITS ADMITTED AT TRIAL**

In accordance with the Court's request that the parties agree on the set of exhibits admitted by the Court during the trial in this matter (*see* Dkt. 116 at 53:05-53:14), the parties, by their counsel, hereby stipulate and agree that the following exhibits were admitted at trial, either in full or in part pursuant to Federal Rule of Evidence 803(18).

Exh. #¹	Description	Ruling
PTX 09	Michael J. New Policy Studies, Essays, Book Reviews, Movie Review, Q&A, Editorials, and Blogposts Since 2010 (New Deposition Ex. 5)	Fully admitted.

¹ Plaintiffs' exhibits are prepended with "PTX" and are numbered between 9 and 237; Defendants' exhibits are prepended with "DTX" and are numbered between 503 and 514.

Exh. #¹	Description	Ruling
PTX 42	Wisconsin Dep't. of Health Services, Women of Reproductive Age by County	Fully admitted.
PTX 43	Expert Report of Joanne Spetz	Fully admitted.
PTX 44	Expert Report of Jason Fletcher	Fully admitted.
PTX 45	Expert Report of Daniel Grossman	Fully admitted.
PTX 46	Expert Report of Jane Collins	Fully admitted.
PTX 47	Joanne Spetz CV	Fully admitted.
PTX 48	Jason Fletcher CV	Fully admitted.
PTX 49	Daniel Grossman CV	Fully admitted.
PTX 50	Jane Collins CV	Fully admitted.
PTX 52	Daniel Grossman <i>et al.</i> , Changes in Service Delivery Patterns After Introduction of Telemedicine Provision of Medical Abortion in Iowa, 103 AM. J. OF PUB. HEALTH 73 (2013)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 53	American College of Obstetricians and Gynecologists, "Medication Abortion Up to 70 Days of Gestation," ACOG Practice Bulletin, Oct. 2020	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 57	Elizabeth G. Raymond & David A. Grimes, The Comparative Safety of Legal Induced Abortion and Childbirth in the United States, 119 OBSTETRICS & GYNECOLOGY 215 (2012)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).

Exh. # ¹	Description	Ruling
PTX 68	S. Barnard <i>et al.</i> , Doctors or Mid-Level Providers for Abortion, 7 COCHRANE DATABASE OF SYSTEMATIC REVIEWS, Art. No. CD011242 (2015)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 69	Eva Patil <i>et al.</i> , Aspiration Abortion with Immediate Intrauterine Device Insertion: Comparing Outcomes of Advanced Practice Clinicians and Physicians, 61 J. OF MIDWIFERY & WOMEN'S HEALTH 325 (2016)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 71	Tracy A. Weitz <i>et al.</i> , Safety of Aspiration Abortion Performed by Nurse Practitioners, Certified Nurse Midwives, and Physician Assistants Under a California Legal Waiver, 103 AM. J. OF PUB. HEALTH 454 (2013)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 76	Am. Coll. of Obstetricians & Gynecologists (ACOG), Increasing Access to Abortion, Committee Opinion No. 613, 124 OBSTETRICS & GYNECOLOGY 1060 (2014; reaff'd 2019)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 77	Am. Pub. Health Ass'n (Apha), Provision of Abortion Care By Advanced Nurses And Physicians Assistants, Apha Policy No. 20112 (2011)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 80	Advancing New Standards In Reproductive Health (Ansirh), Issue Brief: Analysis Of Medication Abortion Risk And The FDA Report "Mifepristone U.S. Post-Marketing Adverse Events Summary Through 12/31/2018" (2019)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).

Exh. #¹	Description	Ruling
PTX 93	Daniel Grossman <i>et al.</i> , Change in Abortion Services After Implementation of a Restrictive law in Texas, 90 CONTRACEPTION 496 (2014)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 94	Kari White <i>et al.</i> , Change in Second-Trimester Abortion After Implementation of a Restrictive State Law, 133 OBSTETRICS & GYNECOLOGY 771 (2019)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 99	Sarah C.M. Roberts <i>et al.</i> , Risk of Violence From The Man Involved in the Pregnancy after Receiving or Being Denied an Abortion, 12 BMC MEDICINE 144 (2014)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 106	Suzanne Zane, Abortion-Related Morality in the United States: 1998-2010, 126 OBSTETRICS & GYNECOLOGY 258 (2015)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 112	Diana Greene Foster <i>et al.</i> , Socioeconomic Outcomes of Women Who Receive and Women Who Are Denied Wanted Abortions in the United States, 108 AM. J. OF PUB. HEALTH 407 (2018)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 121	National Academies of Sciences, Engineering, & Medicine, The Safety and Quality of Abortion Care in the United States (2018)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).

Exh. #¹	Description	Ruling
PTX 123	Jason M. Lindo, <i>et al.</i> , How Far Is Too Far?: New Evidence on Abortion Clinic Closures, Access, and Abortions, J. HUMAN RESOURCES 1217 (2019)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 124	Stefanie Fischer, <i>et al.</i> , The Impacts of Reduced Access to Abortion and Family Planning Services on Abortion, Births, and Contraceptive Purchases, 167 J. PUB. ECON. 43 (2018)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 128	Rachel K. Jones, <i>et al.</i> , At What Cost? Payment for Abortion Care by U.S. Women, WOMEN'S HEALTH ISSUES 23 e173, e174 (2013)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 129	Rachel K. Jones, <i>et al.</i> , COVID-19 Abortion Bans and Their Implications for Public Health, Perspectives on Sexual and Reproductive Health (June 2020)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 130	Caitlin Myers, <i>et al.</i> , Did Parental Involvement Laws Grow Teeth? The Effects of State Restrictions on Minors' Access to Abortion, 71 J. OF HEALTH ECONOMICS 1 (2020)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 135	Marlene B. Goldman <i>et al.</i> , Physician Assistants as Providers of Surgically Induced Abortion Services, 94 AM. J. PUB. HEALTH 1352 (2004)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).

Exh. # ¹	Description	Ruling
PTX 138	Amy Jo Levi <i>et al.</i> , Training in Aspiration Abortion Care: An Observational Cohort Study of Achieving Procedural Competence, 88 INT'L J. NURSING STUD. 53 (2018)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 142	Kaiser Comm'n on Medicaid and the Uninsured, Improving Access To Adult Primary Care In Medicaid: Exploring The Potential Role Of Nurse Practitioners And Physician Assistants (Kaiser Family Found. 2011)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 144	Daniel J. Gilman & Tara Isa Koslov, Fed. Trade Comm'n, Policy Perspectives: Competition and the Regulation of Advanced Practice Nurses (Fed. Trade Comm'n. 2014)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 149	Lisa R. Henry <i>et al.</i> , The Role of Physician Assistants in Rural Health Care: A Systematic Review of the Literature, 27 J. RURAL HEALTH 220 (2011)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 150	Westat, Impact of State Scope of Practice Laws and Other Factors on the Practice and Supply of Primary Care Nurse Practitioners: Final Report (Office of the Assistant Sec'y for Planning & Evaluation 2015)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 152	Inst. of Med. of the Nat'l Acads. of Scis., Eng'g & Med., The Future of Nursing: Leading Change, Advancing Health (2011)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).

Exh. #¹	Description	Ruling
PTX 166	Ying Xue <i>et al.</i> , Impact of State Nurse Practitioner Scope-of-Practice Regulation on Health Care Delivery: Systematic Review, 64 Nursing Outlook 71 (2016)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 183	Wisconsin Hospital Association, Wisconsin 2018 Health Care Workforce Report (2018)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 202	Roberts, S.C.M., M.A. Biggs, K.S. Chibber, H. Gould, C.H. Rocca, and D.G. Foster, Risk of violence from the man involved in the pregnancy after receiving or being denied an abortion, BMC Medicine 12: 144, 2014	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 207	Wisconsin Dep't. of Health Services, Reported Induced Abortions in Wisconsin, 2017	Fully admitted.
PTX 210	Tracy Weitz et al., Research Informs Abortion Care Policy Change in California, 104 AM. J. PUB. HEALTH e3 (2014)	Yellow highlighted passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 211	Diana Foster, The Turnaway Study, Scribner, 2020	Designated passages, submitted to the Court in a set of exhibits on December 6, 2020, were admitted under FRE 803(18).
PTX 212	Map - Current Driving Distance to Nearest PPWI Medication Abortion Provider	Fully admitted.

Exh. #¹	Description	Ruling
PTX 213	Map - Current Driving Distance to Nearest PPWI Procedural Abortion Provider	Fully admitted.
PTX 214	Map - Post-Expansion Driving Distance to Nearest PPWI Medication Abortion Provider	Fully admitted.
PTX 215	Map - Post-Expansion Driving Distance to Nearest PPWI Procedural Abortion Provider	Fully admitted.
PTX 217	Map - Madison East Health Center Patient Zip Codes	Fully admitted.
PTX 218	Map - Milwaukee – Water Street Health Center Patient Zip Codes	Fully admitted.
PTX 219	Map - Sheboygan - Health Center Patient Zip Codes	Fully admitted.
PTX 224	Wis. Office of Rural Health, Wisconsin Primary Care HPSAs. Health Professional Shortage Areas (Oct. 2018)	Fully admitted.
PTX 225	Wis. Office of Rural Health, Governor-Designated Shortage Areas for Rural Health Clinics (Apr. 2019)	Fully admitted.
PTX 228	Exhibit B to Jane Collins expert report	Fully admitted.
PTX 229	Exhibit C to Jane Collins expert report	Fully admitted.
PTX 230	Exhibit D to Jane Collins expert report	Fully admitted.
PTX 231	Map: One-Way Driving Distance to Nearest Abortion Provider (Including Out-of-State Providers)	Fully admitted.

Exh. #¹	Description	Ruling
PTX 232	Map: One-Way Driving Distance to Nearest Procedural Abortion Provider (Including Out-of-State Providers)	Fully admitted.
PTX 233	Map: One-Way Driving Distance to Nearest Abortion Provider (Including Out-of-State) After Expansion Plan	Fully admitted.
PTX 234	Map: One-Way Driving Distance to Nearest Aspiration Abortion Provider (Including Out-of-State) After Expansion Plan	Fully admitted.
PTX 235	D1: One-Way Distance That Women of Reproductive Age Must Travel to Reach Nearest PPWI Medication and/or Procedural Abortion Provider, As Measured From Each County Seat	Fully admitted.
PTX 236	D2: One-Way Distance That Women of Reproductive Age Would Need to Travel to Reach Nearest PPWI Medication and/or Procedural Abortion Provider in Wisconsin, Currently and Post-Expansion Plan, As Measured From Each County Seat	Fully admitted.
PTX 237	D3: One-Way Distance That Women of Reproductive Age Would Need to Travel to Reach Nearest Medication and/or Procedural Abortion Provider, In- or Out-of-State, Currently and Post-Expansion Plan, As Measured From Each County Seat	Fully admitted.

Exh. #¹	Description	Ruling
DTX 501	Rule 26(a)(2) Rebuttal Report of Michael J. New, Ph.D., dated February 28, 2020, with Appendix A and Curriculum Vitae	Admitted, with the exception of Part D and related portions of the report, which have been redacted. ²
DTX 503	Reported Induced Abortions in Wisconsin 2018, February 2020 Release, Wisconsin Department of Health Services (Exhibit 12 to Daniel Grossman deposition on August 25, 2020)	Fully admitted.
DTX 509	Mifepristone REMS, April 2019 Exhibit 4 to Daniel Grossman deposition on August 25, 2020)	Fully admitted.
DTX 510	Abortion in Iowa City, IA (Exhibit 5 to Daniel Grossman deposition on August 25, 2020)	Fully admitted.
DTX 511	Abortion in Marquette, MI (Exhibit 6 to Daniel Grossman deposition on August 25, 2020)	Fully admitted
DTX 512	Abortion in Rochester, MN (Exhibit 7 to Daniel Grossman deposition on August 25, 2020)	Fully admitted.
DTX 513	Abortion in Saint Paul, MN (Exhibit 8 to Daniel Grossman deposition on August 25, 2020)	Fully admitted.
DTX 514	Abortion in Waukegan, IL (Exhibit 9 to Daniel Grossman deposition on August 25, 2020)	Fully admitted.

² The Defendants advised the Court that they were not offering Part D of the Rebuttal Report of Michael J. New Ph.D. as part of Dr. New's testimony during the November 17, 2020 Pre-Trial Conference. *See* Dkt. 103 at 11:08-12:19. At trial, the Court took judicial notice that Part D of Dr. New's expert report had been struck. *See* Dkt. 115 at 29:02-29:06.

Dated this 21st day of December, 2020.

By: /s/ Brian P. Keenan

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